APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,352	11/19/2003	Ramajeyam Gopalraj	LOT920030017US1	7004

23550　7590　08/16/2007	EXAMINER	
HOFFMAN WARNICK & D'ALESSANDRO, LLC	DAFTUAR, SAKET K	
75 STATE STREET		
14TH FLOOR	ART UNIT	PAPER NUMBER
ALBANY, NY 12207	2151	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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	Application No.	Applicant(s)
Office Action Summary	10/717,352	GOPALRAJ, RAMAJEYAM
	Examiner	Art Unit	
	Saket K. Daftuar	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
 Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>09 July 2007</u>.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-22</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-22</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Response to Amendment

1.   This office action is responsive to the amendment filed on July 9th, 2007. Claims

1-22 are presented for the further examination.

Response to Arguments

2.   Applicant's arguments filed July 9th, 2007 have been fully considered but they are

not persuasive. As per arguments filed on July 9th, 2007, applicant argues to the

substance that:

        a.   Gupta failed to disclose the application data is submitted to the network

application without reentry by a user in case that the session has expired.

In response to applicant argument a) wherein the application data is submitted to

the network application without reentry by a user in case that the session has

expired (see column 5, line 42- column 6, line 45).

        Gupta briefly discloses "Cookie mechanism to authenticate user on the

Internet. Cookies are small pieces of information stored on individual's browsers

that can later be read back from the browser. When a web site is accessed, a

cookie may be sent by the web site identifying itself to the web browser. Cookies

are stored by the browser and may be read back by a server at a later date.

Cookies may be utilized for a variety of reasons including the ability to

personalize information, to perform targeted advertising, or to track popular links

or demographics. For example, a book store on the web may store a cookie that

contains the user's name and password. Thereafter, whenever the user accesses the book store's web site, the cookie is retrieved, and the user need not log in to the book store's site.

Cookies can store a variety of information including database information and custom page settings. A cookie is merely an HTTP header that consists of a text-only string that gets entered into the memory of a browser. The string contains information (referred to as "parameters") such as the name of the cookie, the value of the cookie, the expiration date of the cookie, the path the cookie is valid for, the domain the cookie is valid for, and the need for a secure connection to exist to use the cookie. Each cookie has a name and value. For example, the name of a cookie may correspond to the web site owner's name (e.g., SUN_ID may be the name of the cookie for Sun Microsystems.TM.) and the value may be an identification number for the particular user. By utilizing a name and value, a web site may store personal information to be displayed to a particular user every time the cookie from that user is retrieved by the server. The expiration parameter defines the lifetime of the cookie (e.g., how long the cookie is valid for). The path parameter defines the URL path the cookie is valid for (i.e., web pages outside of the specified path cannot read or use the cookie). The domain parameter specifies the domain that can access the cookie. For example, if the domain parameter is ".sun.com", only cookie requests that originate from pages located on the ".sun.com" domain server will be permitted. Further, after a server sends a cookie to a browser, any future requests made by

the browser to the parameters specified in the cookie (e.g., the specified path and domain) the browser forwards the cookie with the request. The secure parameter is either TRUE or FALSE depending on whether a secure server condition is required to access the particular cookie.

By utilizing cookies, a server can authenticate a user based on the cookie (i.e., by reading the name and variable stored in the cookie) and not require a user to reauthenticate itself each time (emphasis added). The first time a client/user accesses a server, the server may authenticate a user (e.g., using a user name and password mechanism) and issues a cookie with a name and variable that uniquely identifies the authenticated client. For example, after authenticating a user, a server may generate a unique random number, create a cookie with the unique random number as a value, and transmit the cookie back to the user's browser. The server may also store the user's information (in the server) using the unique random number as a key. Thereafter, the cookie is similar to a key in that the server merely retrieves the cookie (with the identifying information (e.g., using the unique random number as a key)) instead of requiring the user to reenter a username and password [user name and password is part of application data (emphasis added)]."

Therefore, Gupta does disclose the application data is submitted to the network application without reentry by a user in case that the session has expired.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4.   Claims 1-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-9, 10,15 and 18 recite the limitation "during a session". Applicant has amended the claims to include subject matter "during a session with the network application". However, in order to establish a "session" one ordinary skilled in the art would required at least <u>a user, or requesting party or client or computer,</u> to establish a "session with the network application". Therefore, there is insufficient antecedent basis for this limitation in the claim. Claims 1, 10, 15, and 18 discloses "obtaining a data page from a network application during a session with <u>the network application; </u>receiving the application data using the data page; ensuring that the session is valid; and submitting the application data to the network application when the session is valid, <u>wherein the application data is submitted to the network application without reentry by a user in case that the session has expired. </u>"

Examiner agrees to the applicant statement "one of ordinary skill in the art would know what needed to be provided in order to practice the teaching of claimed invention."

However, based on what is disclosed in claims 1, 10, 15 and 18, claimed invention failed to show: (1) How one having ordinary skilled in the art would obtain a data page from a network application? (2) How one having ordinary skilled in the art would receive the application data? (3) How one having ordinary skilled in the art would ensure that session is valid? (4) How one having ordinary skilled in the art would submit the application data and where to submit the application data?

Claim 4 recites the limitation "determining if it is likely that the session has expired". It is still not clear whether the session has expired. There is insufficient antecedent basis for this limitation in the claim.

Claim 5 recites the limitation "sending a request to the network application" and "determining if a login page is received ...in response to the request". It appears that claim 5 contains a conditional statement that requires further action required to be taken. It appears to be "if /else" statement with only "if" and lacks "else" statement based on "if". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6.   Claims 1-14 and 18-22 are rejected under 35 U.S.C. 101 because the claimed

invention is directed to non-statutory subject matter.

Claims 1 and 10 raises a question as to whether the claims are directed

merely to an abstract idea that is not tied to a technological art, environment or

machine which would result in a practical application producing a concrete,

useful and tangible result to form the basis of statutory subject matter under 35

U.S.C 101.

Claims 1 recite the limitation "a computer implemented method for

obtaining application data for a network application, comprises: obtaining a data

page..., receiving the application data..., ensuring that the session..., submitting

the application data" and claim 10 further recites " establishing a session...,

providing a data page... and receiving the application data". Claims 1-14, recite a

method where the method steps do not show use of any hardware devices or

components and therefore, claims are directed towards a non-statutory subject

matter as not being tangible.

Claims 18 recites the limitation "a program product stored on a readable

medium when executed comprises: program code". Claims are directed towards

a non-statutory subject matter as not being tangible because a program code

doesn't show any functional relationship with computer component. Program

codes are neither a hardware component nor it's a statutory process. In addition,

applicant failed to show that the program code is part of any hardware or tangible

medium when executing software program code on that respective hardware

used in method to accomplish method steps or tangible medium. Therefore,

claims 18-22 are directed to non-statutory subject matter as not being tangible.

Claim Rejections - 35 USC § 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public
> use or on sale in this country, more than one year prior to the date of application for patent in the United
> States.

8.   Claims 1- 22, as best understood, are rejected under 35 U.S.C. 102(b) as being

anticipated by Gupta et al. U.S. Patent Number 6,226,752 B1 (hereinafter Gupta).

As per claim 1, Gupta discloses obtaining a data page from a network

application during a session (see column 2, lines 15- 67, Figure 3); receiving the

application data using the data page (see column 2, lines 15- 67, Figure 3);

ensuring that the session is valid (see column 4, line 30 - column 5, line 41;

Figure 3); and submitting the application data to the network application when the

session is valid (see column 4, line 30 - column 5, line 41; Figure 3) wherein the

application data is submitted to the network application without reentry by a user

in case that the session has expired (see column 5, line 42- column 6, line 45,

using cookies to submit user data to authenticate a user and not require a user

to re authenticate itself as user name and variable are stored in the cookie).

As per claim 2, Gupta discloses establishing the session with the network

application (see column 4, line 30 - column 5, line 41; Figure 3).

As per claim 3, Gupta discloses receiving a submission request for the application data (see column 4, line 30 - column 5, line 41; Figure 3).

As per claim 4, Gupta discloses determining if the session may have expired (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; Figure 4); and querying the network application for a session status if the session may have expired (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; Figure 4).

As per claim 5, Gupta discloses sending a request to the network application (see column 4, line 30 - column 5, line 41; Figure 3); and determining if a login page is received from the network application in response to the request (see column 4, line 30 - column 5, line 41; Figure 3).

As per claim 6, Gupta discloses obtaining a session time remaining at a first time (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 11, line 45 – column 12, line 6; Figures 3- 4); determining a submission time for the submission request (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 11, line 45 – column 12, line 6; Figures 3- 4); and comparing the session time remaining to a difference between the submission time and the first time (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 11, line 45 – column 12, line 6; Figures 3- 4).

As per claim 7, Gupta discloses the first time comprises a display time for the data page (column 11, line 45 – column 12, line 6; Figures 3- 4).

As per claim 8, Gupta discloses the ensuring step comprises establishing another session with the network application if the session is invalid (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 12, lines 14-24; Figures 3- 4).

As per claim 9, Gupta discloses data page is displayed in a first window, and wherein the establishing step includes displaying a login page in a second window (See abstract, see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 11, line 45 – column 12, line 6; Figures 3- 4, application server redirects the user to login server and when authenticated login server redirects the user back to the application server inherently discloses data page is displayed in a first window, and wherein the establishing step includes displaying a login page in a second window).

As per claim 10, Gupta discloses establishing a session with a client (see column 2, lines 15- 67, column 4, line 30 - column 5, line 41; Figure 3); providing a data page to the client, wherein the data page ensures that the session is valid before submitting the application data (see column 2, lines 15- 67, column 4, line 30 - column 5, line 41; Figure 3); and receiving the application data from the client (see column 2, lines 15- 67, column 4, line 30 - column 5, line 41; Figure 3), wherein the application data is submitted to the network application without reentry by a user in case that the session has expired (see column 5, line 42- column 6, line 45, using cookies to submit user data to authenticate a user and

not require a user to re authenticate itself as user name and variable are stored in the cookie)..

As per claim 11, Gupta discloses providing a login page to the client (see column 2, lines 15- 67, column 4, line 30 - column 5, line 41; Figure 3); receiving login data from the client (see column 2, lines 15- 67, column 4, line 30 - column 5, line 41; Figure 3); and authenticating the login data (see column 2, lines 15-67, column 4, line 30 - column 5, line 41; Figure 3).

As per claim 12, Gupta discloses receiving a request from the client for an invalid session (see column 2, lines 15- 67, column 4, line 30 - column 5, line 41; column 11, line 45 – column 12, line 24; Figure 3 - 4); and providing the login page to the client in response (see column 2, lines 15- 67, column 4, line 30 - column 5, line 41; column 11, line 45 – column 12, line 24; Figure 3 - 4).

As per claim 13, Gupta discloses the data page includes a session time remaining (see column 2, lines 15- 67, column 4, line 30 - column 5, line 41; column 11, line 45 – column 12, line 6; Figure 3 - 4).

As per claim 14, Gupta discloses determining a display time for the data page (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 11, line 45 – column 12, line 6; Figures 3- 4); determining a submission time for a submission request (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 11, line 45 – column 12, line 6; Figures 3- 4); and comparing the session time remaining to a difference between the submission time and the first

time (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 11,
line 45 – column 12, line 6; Figures 3- 4).

As per claim 15, Gupta discloses a session system for establishing a
session with a client (see column 2, lines 15- 67, column 4, line 30 - column 5,
line 41; Figure 3); and a data system for providing a data page to the client and
receiving the application data from the client (see column 2, lines 15- 67, column
4, line 30 - column 5, line 41; Figure 3); wherein the data page ensures that the
session is valid before submitting the application data (see column 2, lines 15-
67, column 4, line 30 - column 5, line 41; Figure 3) and wherein the application
data is submitted to the network application without reentry by a user in case that
the session has expired (see column 5, line 42- column 6, line 45, using cookies
to submit user data to authenticate a user and not require a user to re
authenticate itself as user name and variable are stored in the cookie).

As per claim 16, Gupta discloses the system of claim 15, further
comprising a display system for displaying pages to a user (see column 5, line 42
- column 6, line 51).

As per claim 17, Gupta discloses the system of claim 15, wherein the
session system provides a login page to the client in response to a request for an
invalid session (see column 4, line 30 - column 5, line 41; column 11, line 45 –
column 12, line 24; Figure 3 - 4).

As per claims 18-22, claims 18-22 are program product claims of method
claims of 1-3, 5-6 and 9. They do not teach or further define over the limitation as

recited in claims 1-3, 5-6 and 9. Therefore, claims 18-22 are rejected under same

scope as discussed in claims 1-3, 5-6 and 9, supra.

Conclusion

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Contact Information

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Saket K. Daftuar whose telephone number is 571-272-

8363. The examiner can normally be reached on 8:30am-5:00pm M-W.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Valencia Martin-Wallace can be reached on 571-272-3440. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SKD

VALENCIA MARTIN-WALLACE
PRIMARY EXAMINER